

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

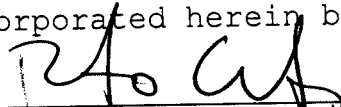
'08 MJ 8530

UNITED STATES OF AMERICA)	Magistrate Case No.:
)	
Plaintiff,)	COMPLAINT FOR VIOLATION OF
)	
v.)	21 U.S.C. § 952 and 960
)	Importation of a Controlled
Roxana CHAVEZ-Perez,)	Substance (Felony)
)	
Defendant.)	

The undersigned complainant being duly sworn states:

That on or about June 15, 2008, within the Southern District of California, defendant Roxana CHAVEZ-Perez, did knowingly and intentionally import approximately 64.10 kilograms (141.02 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Renato Gates, Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 16TH
DAY OF JUNE 2008.


Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

v.

2 Roxana CHAVEZ-Perez

3 STATEMENT OF FACTS

4 This complaint is based on the reports, documents, and notes
5 furnished to United States Immigration and Customs Enforcement
6 Special Agent Renato Gates.

7 On June 15, 2008, at approximately 0806 hours, Customs and
8 Border Protection Officer (CBPO) C. Montez was conducting primary
9 inspection duties on lane # 3 at the Calexico, California, East
10 Port of Entry when a 2001 Chrysler Voyager with Mexican license
11 plate number BEK5333 approached her booth for inspection.
12

13 CBPO Montez identified the driver as Roxana CHAVEZ-Perez was
14 accompanied by her to minor children. CBPO Montez received a
15 negative oral Customs declaration from CHAVEZ-Perez. CBPO Ramos
16 referred CHAVEZ-Perez and the vehicle to the secondary lot for
17 further inspection.

18 CBPO J. Bolanos was conducting secondary inspections and
19 observed a white Chrysler Voyager bearing Baja California plate
20 BEK533 enter the vehicle secondary lot. CBPO Bolanos the driver,
21 identified as Roxana CHAVEZ-Perez, and received a negative Customs
22 declaration. CHAVEZ-Perez informed CBPO Bolanos the vehicle was
23 registered to her husband and she was going shopping at Las Palmas.
24 CBPO D. Alba was conducting a sweep of vehicle with his assigned
25 Human/Narcotic Detector Dog (HNDD) and received an alert to the
26
27
28

1 Chrysler Voyager. CBPO Alba informed CBPO Bolanos his NHDD had
2 alerted to the vehicle's dashboard.

3 CBPO Bolanos conducted an intensive inspection of the vehicle
4 and discovered several non-factory compartments located within the
5 dash, rocker panels, rear hatch door, and quarter panels. CBPO
6 Bolanos discovered numerous brown tapped packages within the
7 compartments. CBPO Bolanos probed a random package, and it produced
8 a green leafy substance that field tested positive for marijuana.
9 A total of sixty (60) packages of marijuana were discovered with a
10 total weight of 64.10 kilograms (141.02 pounds).

12 CHAVEZ-Perez was arrested for violation of Title 21 United
13 States Code 952 and 960, Importation of a Controlled Substance.
14 CHAVEZ-Perez was read her Miranda rights, which she acknowledged
15 and waived. CHAVEZ-Perez agreed to be interviewed without the
16 presence of an attorney.

17 CHAVEZ-Perez stated she knew she was in the process of doing
18 something illegal by crossing the vehicle into the United States.
19 CHAVEZ-Perez stated she was going to be paid \$10,000 pesos for
20 crossing the car into the United States. CHAVEZ-Perez stated she
21 thought the vehicle she was driving contained drugs, but wasn't
22 told what type of drugs. CHAVEZ-Perez stated she was given a note
23 to cross the vehicle into the United States and park it at the USA
24 gas station near the Calexico, California, East Port of Entry.
25
26
27
28